

Sheldon Morgan
11/29/2023

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OKLAHOMA

3 ASHLEY MYERS, et al.,
4 PLAINTIFFS,

5 vs. No. 22-CV-00119-TCK-JFJ

6 BOARD OF COUNTY COMMISSIONERS
of ROGERS COUNTY, et al.,

7 DEFENDANTS.

CERTIFIED COPY

9 DEPOSITION OF SHELDON MORGAN
10 TAKEN ON BEHALF OF THE PLAINTIFFS
11 IN CLAREMORE, OKLAHOMA
12 ON NOVEMBER 29, 2023
13 BEGINNING AT 9:09 A.M.

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25 REPORTED BY: Carla S. Kimbrough, CSR

EXHIBIT

3

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1 A Either that or the Amos G. Ward Detention
2 Facility.

3 Q Amos G. Ward, okay. I'll probably call it
4 just Rogers County jail.

5 A Okay.

6 Q And I'll be referencing that and that
7 means the same thing as Amos Ward. Is that okay?

8 A That is fine.

9 Q Okay. In November 2019 at the Rogers
10 County jail could you tell me who is in charge
11 of -- who was in charge of medical attention to
12 inmates?

13 MR. WINTER: Form. Periodically I may
14 object to the form of the question. Unless your
15 attorney says not to answer, you still have to
16 answer. It's a little disjointed and if you need
17 to have Chris repeat the question, by all means do.

18 THE WITNESS: (Nodding head.)

19 Q (By Mr. Hammons) So you can answer.

20 A Turn Key.

21 Q Okay. And if you could, just based on
22 your understanding and your training and experience
23 as a detention officer in that November 2019, tell
24 me your understanding of the relationship with Turn
25 Key and what they were -- what their

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1 Q (By Mr. Hammons) Okay. Now at the --
2 again that November 2019 -- and I don't know if
3 this true or not. I'm trying to get the
4 relationship. In the -- when there's an incident
5 where there needs some immediate emergency medical
6 treatment, that would be whose duty at the jail?

7 MR. WINTER: Same.

8 A The nurse.

9 Q (By Mr. Hammons) Okay. Turn Key's
10 people.

11 A Yes.

12 Q Okay. Now at the Rogers County jail when
13 a new inmate or new person shows up is it the duty
14 of Turn Key or a detention officer to do an initial
15 medical screening?

16 A Turn Key.

17 Q Okay. Any type of initial mental health
18 or even suicide screening, would that also be in
19 the purview of a Turn Key nurse?

20 A Correct.

21 Q Okay. As a detention officer you might
22 actually be present to restrain or hold the inmate,
23 but the words and the intake process is done by
24 Turn Key people.

25 A Correct.

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1 Q Any decision that was going to be made
2 about whether or not a new inmate would be allowed
3 into the jail based on medical issues, that would
4 be whose decision?

5 A Turn Key's.

6 Q And what I mean by that is if somebody was
7 in bad enough shape, something was wrong with them,
8 whatever that might be, medically Turn Key would
9 make the decision either to allow them into the
10 jail or not.

11 A Correct.

12 MR. WINTER: Same.

13 THE REPORTER: Be sure and pause for just
14 a second so he can object if he wants. Thanks.

15 Q (By Mr. Hammons) Okay. As a detention
16 officer at Rogers County in this time period did
17 you have any training with respect to the signs and
18 symptoms of mental illness?

19 A No.

20 Q That would have been something that you
21 relied on Turn Key to point out.

22 A Correct.

23 Q I know the answer to this, but I will ask
24 it anyways. You as a detention officer in
25 November 2019 were not required or trained to do

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1 was certainly not a marathon runner. She was a
2 little out of shape, true?

3 MR. WINTER: Form.

4 A That's what she appeared to be.

5 Q (By Mr. Hammons) Yeah.

6 (Whereupon, video was played.)

7 Q And I apologize for keep stopping. It's
8 just the way we're going to have to do it so we can
9 take questions.

10 At this point even in this video as we
11 stopped we can still see the tan figure in the
12 back. Ms. Foster is still watching this occur,
13 true?

14 A Correct.

15 Q Okay. And this room that we're in, what
16 do we call this? What is it?

17 A Booking.

18 Q It is booking? It's not -- it's not a
19 very large room.

20 A No.

21 Q Okay. She's not very far away I guess I
22 should say.

23 A No.

24 Q Okay. And at this point the video that we
25 just watched Ms. Tedder is breathing pretty heavy

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1 at this point, true?

2 MR. WINTER: Form.

3 A Correct.

4 Q (By Mr. Hammons) And she's actually
5 laboring to breathe. She's gasping.

6 MR. WINTER: Same.

7 Q (By Mr. Hammons) Did you hear those?

8 A I heard her heavily breathing.

9 Q Yes. Now at this point I believe I heard
10 one of the detention officers -- do you know who
11 the other detention officers helping there were?

12 A I believe so.

13 Q Who are they?

14 A Day shift lead Shawn Zandbergen and Myles
15 Ferguson.

16 Q Okay.

17 A And Thomas Grimsley.

18 Q Okay. One of them at this point made the
19 comment that she has urinated on the floor.

20 A I made that comment.

21 Q Did you? Okay. So you made that
22 observation that she urinated.

23 A Uh-huh.

24 THE REPORTER: Be sure and speak up.

25 Q (By Mr. Hammons) Now do you -- as a

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1 A Uh-huh.
2 Q Like a strap or something?
3 A I don't know what Coban is.
4 Q Okay. Yeah. It's like -- it's wrapping.
5 Okay. Now from the condition we see Lorri in,
6 it's -- does it take medical knowledge, it's
7 obvious that she's limp that she potentially is
8 unconscious, true?
9 MR. WINTER: Form.
10 A True.
11 MR. WINTER: What was the answer? I'm
12 sorry.
13 THE WITNESS: True.
14 MR. WINTER: Thank you.
15 Q (By Mr. Hammons) And at this point you'd
16 agree Nurse Foster has done nothing to treat Lorri
17 Tedder.
18 MR. WINTER: Same.
19 A It appears.
20 Q (By Mr. Hammons) We'll watch a little
21 more.
22 (Whereupon, video was played.)
23 Q Now just based on this -- the video that
24 I'm seeing, Lorri Tedder is completely dead weight
25 at this point, true?

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1 looking for direction from Kylee Foster on what to
2 do next?

3 MR. WINTER: Form.

4 A As a form of medical, yes.

5 Q (By Mr. Hammons) Yes. Just concerning
6 medical treatment for Lorri Tedder. Is that
7 accurate?

8 A That is.

9 Q Okay. Now at this point in the video have
10 you seen any -- or do you know of any -- based on
11 your observations of any treatment given to Lorri
12 Tedder to this point?

13 MR. WINTER: Same.

14 A I do not besides checking of a pulse.

15 Q (By Mr. Hammons) Okay. And did Kylee
16 Foster tell anybody or say audibly that you heard
17 what that result was?

18 A Not to my recollection.

19 Q Okay. And then at this point Kylee Foster
20 has left the cell.

21 A Yes.

22 Q Okay. Do you know where she went?

23 A Not to my recollection.

24 Q Okay. And as far as you standing there at
25 the door and watching, did she give you any

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1 directions on what to do for Lorri Tedder?

2 A No.

3 Q Did she say a plan of action that was
4 going to happen?

5 A No.

6 Q Did you see her take any actions to this
7 point?

8 MR. WINTER: Form.

9 Q (By Mr. Hammons) Besides taking the three
10 or two pulses?

11 A No.

12 Q Okay.

13 (Whereupon, video was played.)

14 Q The gentleman that just entered, that is
15 Shawn Zandbergen.

16 A Zandbergen, yes.

17 Q Zandbergen, okay.

18 (Whereupon, video was played.)

19 Q Now it looks to me is Mr. Zandbergen is
20 kind of the lead guy on this shift?

21 A He's the lead detention officer of day
22 shift.

23 Q Okay. And it looks to me like is this
24 where he kind of sent you away to help with
25 something else?

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1 MR. WINTER: Same.

2 A Depending on the circumstances. It's
3 common to have a lot of officers involved in an
4 incident.

5 Q (By Mr. Hammons) Is it -- and a nurse
6 standing in the middle of them looking at an
7 inmate?

8 A It's happened before.

9 Q Okay. What -- under that circumstance was
10 the inmate in distress?

11 MR. WINTER: Just so we're clear, the
12 situation you're asking him to recall, Chris?

13 MR. HAMMONS: Yeah. He had said it's
14 happened before. So in those situations was it
15 where an inmate was in medical distress since the
16 nurse was there?

17 A There's been a time, yes.

18 Q (By Mr. Hammons) Okay. In this
19 particular time, if you can recall back, you may
20 not be able to, what was your -- was your
21 understanding at that moment that Lorri Tedder
22 based on what you heard and saw observations that
23 Lorri Tedder needed medical care?

24 MR. WINTER: Same.

25 A Yes.